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Hon. Philip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

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Application granted. The January 21, 2025 case management conference is re-scheduled to April 21, 2025 at 10:00 a.m.

The Clerk of Court is respectfully directed to terminate the letter motion pending at Doc. 64.

SO ORDERED.



BY E

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
September 3, 2024

Re: *Balchan v. New Rochelle City School District, et al.*
Case No. 7:23-cv-06202 (PMH)

Dear Judge Halpern:

This office represents the Plaintiff, Brooke Balchan ("Plaintiff"), in the above-referenced action. This letter shall serve as the parties' joint request to modify the Civil Case Discovery Plan and Scheduling Order. The reason for this request is that the pending Motion for Reconsideration and Plaintiff's recently filed a Second Amended Verified Complaint have substantially disrupted the parties' ability to comply with the current Discovery Plan and Scheduling Order.

The outcomes of the aforementioned motion and the numerous new and additional claims included in plaintiff's Second Amended Verified Complaint will directly impact the scope and nature of discovery. Due to the foregoing, the parties have not yet had ample opportunity to assess and respond to interrogatories and document requests.

Additionally, as there are five defendants who are named both individually and as aiders and abettors, plaintiff requires sufficient time to depose each such named defendant. Moreover, the testimony given during depositions may give rise the parties' need for post-deposition discovery. Accordingly, the parties respectfully request that the Discovery Plan and Scheduling Order be modified accordingly.

This office has conferred with Defendants' counsel. The parties have agreed to the following adjustments to the Discovery Plan and Scheduling Order¹:

- The date by which all fact discovery shall be completed would be extended from October 16, 2024, to December 26, 2024;

¹ As per Rule 1.C. of Your Honor's Individual Practices in Civil Cases, attached is a proposed revised Civil Case Discovery Plan and Scheduling Order which reflects the referenced adjustments.

- The date by which non-expert depositions shall be completed would be extended from September 1, 2024, to November 11, 2024;
- The date by which requests to admit shall be served would be extended from September 15, 2024, to November 21, 2024;
- The date by which all expert discovery, including expert depositions, shall be completed by would be extended from November 30, 2024, to February 10, 2025;
- The date by which Plaintiff's expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made would be extended from October 25, 2024, to January 6, 2025;
- The date by which Defendants' expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made would be extended from November 10, 2024, to January 21, 2025;
- The date by which all discovery shall be completed would be extended from November 30, 2024, to February 10, 2025;
- The date by which the parties shall file a joint letter concerning settlement/mediation would be extended from October 30, 2024, to January 10, 2025;
- The parties also propose that the next case management conference, which is currently scheduled for January 21, 2025, be rescheduled to a later date.

This is the parties' first request to modify the Discovery Plan and Scheduling Order. Thank you for Your Honor's ongoing courtesies and consideration of this matter.

Very truly yours,

GILBERT LAW GROUP

A handwritten signature in black ink, appearing to read "Jason Gilbert", written in a cursive style.

JASON ANDREW GILBERT

cc: Michael A. Miranda, Esq. (by ECF)
Richard Brian Epstein, Esq. (by ECF)
Maurizio Savoiaro, Esq. (by ECF)